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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|---|-------------|----------------------|---------------------|------------------|
| 10/081,028 | 02/21/2002 | Farhad Farassat | MEISS68.001AUS | 1645 |
| 20995 | 7590 | 02/03/2005 | EXAMINER | |
| KNOBBE MARTENS OLSON & BEAR LLP 2040 MAIN STREET FOURTEENTH FLOOR IRVINE, CA 92614 | | | KRAMER, DEAN J | |
| | | | ART UNIT | PAPER NUMBER |
| | | | 3652 | |

DATE MAILED: 02/03/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

JE

| | | | |
|------------------------------|------------------------|---------------------|--|
| Office Action Summary | Application No. | Applicant(s) | |
| | 10/081,028 | FARASSAT, FARHAD | |
| Examiner | | Art Unit | |
| Dean J. Kramer | | 3652 | |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 30 December 2004.
- 2a) This action is FINAL. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1-34 is/are pending in the application.
 - 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) Claim(s) _____ is/are allowed.
- 6) Claim(s) 1-34 is/are rejected.
- 7) Claim(s) 1 and 6 is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____. |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date <u>2/30/04</u> | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| | 6) <input type="checkbox"/> Other: _____. |

DETAILED ACTION

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 12/30/04 has been entered.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1, 2, 4-20, and 22-34 are rejected under 35 U.S.C. 103(a) as being unpatentable over Schweitzer et al. (U.S. Pat. # 5,203,659) in view of Hiroki.

The Schweitzer et al. ('659) patent shows a mechanism that substantially contains the limitations as set forth in the above claims except that its first and second clamping devices (42,44) are not disposed one above the other in a vertical arrangement so that they can substantially remove and deposit two different plates.

However, Hiroki shows a pair of vertically aligned clamps (25,26) individually movable in a common plane to simultaneously deposit and remove processed and unprocessed substrates, respectively, within a magazine (see Figs. 12-15 and col. 9, lines 4-36 of the specification).

Accordingly, it would have been obvious to one of ordinary skill in the art at the time the invention was made to arrange two additional vertically moveable clamping devices directly below the two existing clamping devices (42,44) of the Schweitzer et al. assembly as taught by Hiroki in order to increase the production capability of the resulting device.

In regard to claim 20, it would have been an obvious matter of design choice to provide any well known actuating means for the clamp, such as pneumatic, electric, or magnetic means, especially since applicant has not specifically disclosed that any particular actuator solves any stated problem or is for any critical purpose, and it appears that the device would perform equally well with any commonly used actuator.

It is also pointed out that the modified Schweitzer et al. ('659) system could obviously function the method steps in the order listed in claims 6 or 11 of the instant application, or in the reverse order, depending on the specific process being performed on the chips or wafers.

3. Claims 3 and 21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Schweitzer et al. (U.S. Pat. # 5,203,659) in view of Hiroki as applied to claims 1 and 15 above, and further in view of Somekh et al..

The patent to Somekh et al. shows a carrier plate (40) having four straight sides generally forming a rectangular structure.

It would have been obvious to form the chip-carrier plates of the modified Schweitzer et al. device into a generally rectangular or square shape, depending on the

design of the magazine useable therewith, as taught by Somekh et al. so that the plates better conform to receiving space in the magazine and/or processing stations.

Specification

4. The disclosure is objected to because of the following informalities: the specification improperly refers to specific claims by their claim numbers (see page 3, lines 23 and 24). It is pointed out that when amending the specification, applicant must submit a marked-up copy of the entire paragraph being amended. Appropriate correction is required.

Claim Objections

5. Claims 1 and 6 are objected to because of the following informalities:

In claim 1, line 12, it appears that the word "removes" should be changed to --remove--.

In claim 1, line 14, it appears that the word --plate—should be inserted immediately after the word "carrier"

In claim 6, line 11, it appears that the word "plates" should be changed to --plate-. Appropriate correction is required.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dean J. Kramer whose telephone number is (703) 308-2181. The examiner can normally be reached on Mon., Tues., Thurs., Fri. (7:00-5:00).

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Eileen Lillis can be reached on (703) 308-1113. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Dean J. Kramer
Primary Examiner
Art Unit 3652

1/31/05

djk
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